

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket
No.: ROWL-9955

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND APPARATUS FOR PRODUCING AN AQUEOUS PAINT COMPOSITION FROM A PLURALITY OF PREMIXED COMPOSITIONS**, the specification of which

(check one) is attached hereto.

was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above and the drawings to which it refers.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Sec. 1.56(a).

I hereby claim the benefit under Title 35, United States Code Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|--------|
| Application Serial No. | Filing Date | Status |

POWER OF ATTORNEY

Applicant hereby appoints Albert L. Schmeiser, Registration No. 30,681, Arlen L. Olsen, Registration No. 37, 543, Charles T. Watts, Registration No. 16,564, Jack P. Friedman, Registration No. 44,688, S. Jared Pitts, Registration No. 38,579, Jared S. Goff, Registration No. 44,716, Diane E. Smith, Registration No. 40,180, Robert J. Mauri, Registration No. 41,180, and John A. Merecki, Registration No. 35,812, of Schmeiser, Olsen & Watts LLP, 18 East University Drive, #101, Mesa, Arizona, 85201, (480) 655-0073, to prosecute this application to register, to transact all business in this Patent and Trademark Office in connection therewith.

SEND CORRESPONDENCE TO:

Jared S. Goff
Schmeiser, Olsen & Watts LLP
18 East University Drive, #101
Mesa, Arizona 85201

DIRECT TELEPHONE CALLS TO:

Jared S. Goff
480-655-0073

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF INVENTOR: C. Daniel McClain

SIGNATURE: C. Daniel McClain DATE: 5-24-00

RESIDENCE: 1133 West Fifth Street, #19
Tempe, Arizona 85281

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: Same as above address

NAME OF INVENTOR: Randall L. Hughes

SIGNATURE: Randall L. Hughes DATE: 24 May 00

RESIDENCE: 5418 West Ironwood Drive
Glendale, Arizona 85302

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: Same as above address

Applicant: McClain, et al.

Serial or Patent No:

Filed or Issued:

For: **METHOD AND APPARATUS FOR PRODUCING AN AQUEOUS PAINT COMPOSITION FROM A PLURALITY OF PREMIXED COMPOSITIONS**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27 (c))--SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Coatings Management Systems, Inc.

ADDRESS OF CONCERN: 611 North Golden Key St.
Gilbert, Arizona 85233

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, the concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **METHOD AND APPARATUS FOR PRODUCING AN AQUEOUS PAINT COMPOSITION FROM A PLURALITY OF PREMIXED COMPOSITIONS**

by inventors Inventor(s) described in

- [x] The specification filed herewith
[] Application Serial No.: Filed:
[] Patent No.: Issued:

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business

concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____

ADDRESS: _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT
ORGANIZATION

NAME: _____

ADDRESS: _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fees due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Roger Rowley

TITLE OF PERSON SIGNING:

President

ADDRESS OF PERSON SIGNING:

Coatings Management Systems, Inc.

611 North Golden Key St.

Gilbert, Arizona 85233

SIGNATURE: 

DATE: 5/24/00